UNITED NATIONS

General Assembly

FIFTIETH SESSION

Official Records

THIRD COMMITTEE
1st meeting
held on
Tuesday, 19 September 1995
at 5.25 p.m.
New York

SUMMARY RECORD OF THE 1st MEETING

Temporary Chairman: Mr. FREITAS do AMARAL
(President of the General Assembly)

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ELECTION OF THE CHAIRMAN

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Distr. GENERAL
A/C.3/50/SR.1
21 September 1995

ORIGINAL: ENGLISH

95-81291 (E)

The meeting was called to order at 5.25 p.m.

ELECTION OF THE CHAIRMAN

1. Mr. CISSÉ (Senegal) nominated Mr. Tshering (Bhutan) for the office of Chairman.

2. In the absence of further nominations and in accordance with rule 103 of the rules of procedure, the TEMPORARY CHAIRMAN said that he would take it, if he heard no objection, that the Committee wished to elect Mr. Tshering (Bhutan) Chairman.

3. Mr. Tshering (Bhutan) was elected Chairman by acclamation.

The meeting rose at 5.30 p.m.

UNITED NATIONS

General Assembly

FIFTIETH SESSION

Official Records

THIRD COMMITTEE
2nd meeting
held on
Friday, 6 October 1995
at 10 a.m.
New York

SUMMARY RECORD OF THE 2nd MEETING

Chairman: Mr. TSHERING (Bhutan)

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STATEMENT BY THE CHAIRMAN

ELECTION OF OFFICERS

ORGANIZATION OF WORK

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Distr. GENERAL
A/C.3/50/SR.2
11 October 1995

ORIGINAL: ENGLISH

95-81421 (E)

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The meeting was called to order at 10.30 a.m.

STATEMENT BY THE CHAIRMAN

1. The CHAIRMAN said that he hoped to draw on the wealth of experience and knowledge of the members of the Committee as its work proceeded and hoped that its deliberations would be frank, focused and marked by a spirit of cordiality. In the past few years, major strides had been made in addressing almost all the main areas dealt with by the Committee. The recent major international conferences, from the World Summit for Children to the Fourth World Conference on Women, had forged a broad-based consensus and platforms of action in various fields. The Committee should build on the results of those conferences and strive to bridge any gaps that might come about in those areas.

ELECTION OF OFFICERS

2. The CHAIRMAN said that the Group of Latin American and Caribbean States had proposed Mrs. Alvarez (Dominican Republic) and the Group of Western European and Other States had proposed Mr. Rata (New Zealand) for the offices of Vice-Chairmen.

3. Mrs. Alvarez (Dominican Republic) and Mr. Rata (New Zealand) were elected Vice-Chairmen by acclamation.

4. The CHAIRMAN said that Mr. Mohamed (Sudan) had been proposed by the Group of African States for the office of Rapporteur.

5. Mr. Mohamed (Sudan) was elected Rapporteur by acclamation.

6. Mr. MOHAMED (Sudan) said that during the intensive informal consultations held by the Chairman on the election of officers, his delegation had voluntarily agreed to accept the office of Rapporteur in order to solve the problem that had arisen and enable the Committee to proceed with its work.

7. Mr. RATA (New Zealand) and Mrs. ALVAREZ (Dominican Republic) expressed appreciation to the delegation of the Sudan for the flexibility that it had shown in order to facilitate the work of the Committee.

ORGANIZATION OF WORK (A/50/250; A/C.3/50/1; A/C.3/50/L.1/Rev.1 and L.1/Add.1/Rev.1)

8. The CHAIRMAN drew attention to the letter dated 22 September 1995 from the President of the General Assembly addressed to the Chairman of the Third Committee (A/C.3/50/1), which contained the list of items on the agenda allocated to the Committee and referred to the recommendations on the organization of the session contained in section II of the report of the General Committee (A/50/250), as well as paragraph 39 of section IV and paragraph 46 of section V concerning the agenda of the Main Committees. Those recommendations had been approved by the General Assembly at its third plenary meeting and the President of the General Assembly requested cooperation in implementing them.

9. Delegations were reminded of the utmost importance of punctuality in the interest of ensuring effective and orderly organization of work and were requested to make full use of the number of meetings allocated to the Committee. The General Assembly had waived the requirement of the presence of one quarter of the members of Main Committees to declare a meeting open and permit the debate to proceed. The requirement of the presence of a majority of the members for any decision to be taken would be maintained. In accordance with General Assembly decision 34/401, explanations of vote would be limited to 10 minutes. At the suggestion of the Secretary-General, the General Committee had recommended that points of order should be limited to five minutes.

10. The target date for conclusion of the work of the Committee was Friday, 1 December.

11. As all the members of the Committee were aware, the United Nations was facing a serious financial situation. The Secretary-General has decided that the only viable course of action was to implement, with effect from 15 September, various measures to curtail certain services from the Secretariat. That would affect the Third Committee directly and must be taken very seriously. There was no possibility for extended meetings, night meetings or weekend meetings. The provision of the Committee's substantive documentation would be affected by the Secretariat's ability to process its documents without the advantage of overtime services. The Committee had a very full agenda and must make the best use of the time available.

12. The Secretariat was proposing that the Committee should establish time-limits for statements, as it had in the past, of 10 minutes for individual statements and 15 minutes for group statements. In that connection, he reminded delegations of the very useful practice of providing in extenso written texts of their statements and extracting from those texts the remarks that the representatives might wish to make orally to the Committee in order to observe the time-limit.

13. Mr. MEKDAD (Syrian Arab Republic) said that his delegation fully supported the efforts to reduce expenditure but stressed that savings should not be brought about at the expense of any of the official languages used by delegations.

14. The CHAIRMAN announced that the meeting would be suspended to enable the Committee to meet informally in order to consider the programme of work.

The meeting was suspended at 11 a.m. and resumed at 11.50 a.m.

15. The CHAIRMAN said he took it that the Committee wished to adopt its programme of work (A/C.3/50/L.1/Rev.1).

16. It was so decided.

17. The CHAIRMAN reiterated the Secretariat's proposal in document A/C.3/50/L.1/Rev.1 that the time-limit for statements should be set at 10 minutes, with the exception of statements being made by the spokesmen of groups

of delegations, which would be set at 15 minutes. He took it that the Committee agreed to that proposal.

18. It was so decided.

19. The CHAIRMAN said that, in accordance with established practice, the number of statements in exercise of the right of reply for any delegation at a given meeting should be limited to two per item. The first right of reply should be no longer than five minutes and the second should not exceed three minutes.

20. The Committee had continued work in progress relating to the follow-up of the Vienna Conference on Human Rights. He therefore suggested that the Working Group of the Third Committee should continue its negotiations under the chairmanship of Mr. Turk (Slovenia).

21. It was so decided.

22. The CHAIRMAN said he took it that the Committee wished to extend invitations to the various special rapporteurs and representatives to present their reports to the Committee at the current session.

23. It was so decided.

The meeting rose at noon.

UNITED NATIONS

General Assembly

FIFTIETH SESSION

Official Records

THIRD COMMITTEE
3rd meeting
held on
Monday, 9 October 1995
at 10 a.m.
New York

SUMMARY RECORD OF THE 3rd MEETING

Chairman: Mr. TSHERING (Bhutan)

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STATEMENT BY THE UNDER-SECRETARY-GENERAL FOR POLICY COORDINATION AND SUSTAINABLE DEVELOPMENT

AGENDA ITEM 103: ELIMINATION OF RACISM AND RACIAL DISCRIMINATION*

AGENDA ITEM 104: RIGHT OF PEOPLES TO SELF-DETERMINATION*

* Items which the Committee has decided to consider together.

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Distr. GENERAL
A/C.3/50/SR.3
16 October 1995

ORIGINAL: ENGLISH

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95-81445 (E)

The meeting was called to order at 10.30 a.m.

STATEMENT BY THE UNDER-SECRETARY-GENERAL FOR POLICY COORDINATION AND SUSTAINABLE DEVELOPMENT

1. Mr. DESAI (Under-Secretary-General for Policy Coordination and Sustainable Development) said that the Organization's current financial difficulties would require increased speed and efficiency in the work of the new session of the General Assembly; the Secretariat would do its utmost to ensure that the Committee's work proceeded smoothly. He expressed appreciation for the dedication with which the staff was carrying out its work behind the scenes.

2. It was the Third Committee which dealt with the soul of development; it was there that human values, and their relationship with world society and the global economy, were discussed. It would also be dealing with the very important matter of the follow-up to a number of global conferences concerning different aspects of the betterment of the human condition. Those conferences, and the implementation processes arising out of them, were closely interlinked, particularly in their development aspects, and in many cases their subject-matter clearly fell within the purview of the Third Committee. They had identified a number of non-market concerns which needed to be addressed by Governments and by the international community. All those involved in development were in search of a certain philosophy of public policy; markets could take care of many things, but issues such as the environment, social justice, and human rights were matters which would continue to require public intervention at both national and international levels, and that unifying theme, as well as the important and widespread participation of the non-governmental community, was central to all of the follow-up processes.

3. Coordination was of increasing importance. The conferences had brought the United Nations system together as an energized, unified structure working towards common goals; and it was necessary to consider the question of how that unity, and the common aspects of the various conference themes, should be reflected in follow-up activities.

AGENDA ITEM 103: ELIMINATION OF RACISM AND RACIAL DISCRIMINATION (A/50/425-S/1995/787, A/50/467, A/50/468, A/50/476)

AGENDA ITEM 104: RIGHT OF PEOPLES TO SELF-DETERMINATION (A/50/390 and Add.1, A/50/407, A/50/485)

4. Mr. FALL (Assistant Secretary-General for Human Rights), introducing the two items, said that, despite the undeniable successes already achieved by the international community in its fight to eradicate them, racism and racial discrimination were persistent phenomena, feeding on economic and social problems and discriminatory ideologies and practices which could still be found in many parts of the world. More and more, racism and racial discrimination hid behind ostensibly respectable organizations in order to gain access to the media and to pervert the mechanisms of democracy. In 1995, there had been many deplorable incidents of violence against minorities, migrants and refugees. It

was to counter such phenomena that the Third Decade to Combat Racism and Racial Discrimination had been proclaimed in December 1993 by the General Assembly.

5. However, there was almost no money in the Trust Fund for the Programme for the Decade. Only Japan and Norway had made contributions, and the activities planned for the 1994-1997 period were likely to be seriously jeopardized. He was confident that the Third Committee would give serious consideration to the matter.

6. The Economic and Social Council had approved the recommendation of the Commission on Human Rights to the General Assembly to consider at its fiftieth session the possibility of convening a world conference against racism, racial and ethnic discrimination, xenophobia and other related contemporary forms of intolerance, within the framework of the Third Decade. Moreover, the Committee on the Elimination of Racial Discrimination and the Subcommission on Prevention of Discrimination and Protection of Minorities, with the participation of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, had met in August 1995 to discuss ways to strengthen their activities. The Committee and the Subcommission had adopted a joint declaration and had decided, inter alia, to cooperate more closely in their common efforts in that area, including stepped-up preventive action in the field of human rights violations.

7. In 1995, the Committee on the Elimination of Racial Discrimination had considered the periodic reports of 15 States parties and had sought to develop a preventive and rapid-action approach in combating racial discrimination and to expand institutional cooperation with other structures and mechanisms in that field.

8. With regard to the right of peoples to self-determination, he said that the Commission on Human Rights followed closely each year the general aspects of respect for self-determination and its impact on the enjoyment of human rights. At its latest session, the Commission had considered the situation in occupied Palestine and Western Sahara as well as the Middle East peace process and the question of the use of mercenaries.

9. Mr. BERNALES BALLESTEROS (Special Rapporteur on the use of mercenaries), introducing his report (A/50/390 and Add.1), said that his correspondence with Member States over the past year underscored their condemnation of the use of mercenaries and their readiness to cooperate in order to eliminate it. In most countries, the use of mercenaries was not considered an offence per se under domestic legislation. Accordingly, it was necessary to propose common criteria to guide Member States in dealing with mercenary activities.

10. The Government of Cuba had reported (A/50/390, para. 10) that that country had been the victim of mercenary operations conducted in 1994 and 1995 by terrorist groups which prepared their armed aggression against Cuba from the south of Florida. Mercenaries played a role in most armed conflicts and their presence was a factor that prolonged and aggravated such conflicts. He reiterated his support for the peace processes in Angola and Mozambique and the consolidation of the democratic constitutional regime established in South Africa, and hoped that the human rights and self-determination of those peoples

would never again be infringed by mercenary activities. Other African countries, however, such as Sierra Leone and Liberia, continued to experience political instability accompanied by armed violence with the participation of mercenaries. The war in Liberia had already caused numerous civilian deaths and about 1.5 million refugees and displaced persons.

11. He had also expressed concern in his report about the situation in other countries such as the Sudan and Zaire, where the deterioration of the political regimes had prolonged the internal political violence and given rise to irregular situations which, according to reports, had been aggravated by the presence of mercenaries. The recent serious violation by mercenaries of the right of the Comoros to self-determination should be strongly condemned by the General Assembly, and underscored the need to promote the speedy entry into force of the International Convention against the Recruitment, Use, Financing and Training of Mercenaries.

12. He had received information on the activities of a company called Executives Outcomes, which was registered in South Africa as an enterprise that provided security, but according to a report, was involved in the hiring, training and placing of mercenaries. That company had apparently provided mercenaries to the military Government of Sierra Leone and was also negotiating new contracts for mercenary activities in other African countries. All those armed conflicts affected the human rights of the populations concerned and impeded efforts to promote development. The international community should consider the underlying causes of those conflicts and support African efforts to reach speedy and effective agreements guaranteeing the right to self-determination, fundamental freedoms, democracy and development for all African peoples.

13. He had also received reports of mercenary activities in the armed conflicts taking place in the former Yugoslavia, and had requested further information from the parties concerned in order to establish beyond any doubt the presence of mercenaries in the former Yugoslavia and determine their responsibility for crimes committed there. Recent communications from the Government of Croatia and the Government of the Federal Republic of Yugoslavia, which were annexed to an addendum to the report (A/50/390/Add.1), indicated the current state of affairs and the steps that he was taking to ensure that the active presence of mercenaries in the armed conflicts taking place in the territory of the former Yugoslavia did not go unpunished.

14. Member States should step up their efforts to formulate policies to prevent, monitor and punish mercenary activities. The recommendations in the report contained practical suggestions which could be very useful in achieving concrete results in combating mercenary activities. Effective measures were needed to safeguard peace, self-determination and human rights.

15. Mr. RAI (Papua New Guinea) said he deeply regretted the lack of progress towards the elimination of racism and racial discrimination during the past year. For its part, Papua New Guinea's commitment to combating racial discrimination in all its forms was enshrined in its national constitution.

16. Racism, which had evolved over time in human history based on regionalism, tribalism, religion and various forms of social stratification, was on the rise in every continent, even in Member States which had homogeneous populations, and it represented the greatest test for mankind and for the United Nations. It was unlikely to disappear in the near future. The recent examples of violence and civil war based on racial intolerance in Bosnia and Herzegovina, Rwanda and elsewhere were reminders of that inherent human tragedy.

17. In that connection, the decision of the Government of France to continue its nuclear testing in the South Pacific, despite overwhelming international opposition, clearly demonstrated overtones of racial arrogance towards the peoples of the South Pacific. If the underground nuclear tests were safe - as France would have the world believe - then that country should undertake any further tests in its own territorial waters. Papua New Guinea called upon the United Nations to address the issue of racial discrimination that took the form of the degradation of the environment by some countries to the detriment of others.

18. For their part, Member States should reduce their rhetoric and address the issue of racial discrimination so as to assist the Organization in combating the phenomenon in all continents of the world.

19. Mr. SAHRAOUI (Algeria) said that, even though the pseudo-scientific theories of racial superiority based on biological attributes had been largely debunked by overwhelming evidence to the contrary, racism had assumed new forms and was currently manifested in such phenomena as nationalist xenophobia, extremist intolerance, ethnic hatred and the cultural ostracism of such diverse groups as migrant workers, refugees, asylum-seekers, ethnic, cultural or religious minorities and indigenous populations. Notwithstanding both individual and collective efforts, racism had become entrenched in certain places to the point where individuals and political groups which openly advanced racist, xenophobic or neo-fascist doctrine, gained access with disconcerting ease to increasingly larger audiences through the media. In some countries, they even occupied "respectable" seats in the parliament. In the light of its potential for social explosion and international instability, the situation required urgent action on the part of Governments and the international community.

20. It was the responsibility of Governments to take action at the national level. Legislative and administrative measures must be taken to provide for punishment of the instigators and authors of racist acts. In proclaiming the Third Decade to Combat Racism and Racial Discrimination, the General Assembly had urged all Governments to take all necessary measures to combat new forms of racism, in particular by adapting constantly the means provided to combat them, especially in the legislative, administrative, educational and information fields.

21. With regard to the international level, his delegation welcomed the work of the Committee on the Elimination of Racial Discrimination, and hoped that the amendments to the International Convention on the Elimination of All Forms of Racial Discrimination, which provided for the financing of the Committee from the regular budget of the United Nations, would enter into force without delay.

22. He welcomed the timely submission of the report of the Special Rapporteur on contemporary forms of racism (A/50/476), and supported the latter's appeal for mobilizing the funds necessary for the holding of a world conference against racism, racial and ethnic discrimination, xenophobia and other related contemporary forms of intolerance. He also supported the Special Rapporteur's proposal to recommend that the General Assembly should establish a mechanism for monitoring the use of the media to incite hatred. He shared the Special Rapporteur's view that States should be less restrictive and more liberal in the granting of visas to nationals of countries of the South and should call on their populations to be more receptive to foreigners and to cultural interchange. Lastly, he agreed that the teaching of human rights should gradually be made compulsory at all levels in schools and universities.

23. The right of peoples to self-determination was a fundamental principle of international relations and a peremptory rule of international law, violation of which constituted a crime. That right had been enshrined in the Charter and reaffirmed in numerous international legal instruments which stressed that the right of peoples to self-determination was a prerequisite for the enjoyment of all other human rights, that it should be effectively realized, and that peoples under colonial or other forms of foreign and alien domination had the right to realize that inalienable right and to seek support for its realization.

24. Turning to the question of the Middle East, he said that Algeria welcomed the recent signing of the agreement to extend autonomy to Palestinians in the West Bank as a step towards the implementation of the agreement between the State of Israel and the Palestine Liberation Organization, which provided for the eventual return of all Arab lands occupied by Israel since 1967.

25. With a view to establishing a united, strong and stable Maghreb in which all the peoples of the region could join in the common struggle for development, Algeria pledged its full support for the efforts of the Secretary-General to hold a fair and impartial referendum on self-determination for the people of Western Sahara, in accordance with the settlement plan agreed to by the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro.

The meeting rose at noon.